



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

April 16, 2014

U.S. Army Engineer District, Louisville  
Corps of Engineers  
Regulatory Branch, West Section  
Attn: **LRL-2014-99-mad**, Mr. Matt Dennis  
P.O. Box 489  
Newburgh, Indiana 47629-0489

Dear Mr. Dennis:

Reference is made to the application by Energy Transfer Crude Oil (ETCO) Company to install 12,126 feet of pipeline adjacent to an existing pipeline under the Ohio River at river mile 952.9, and adjacent lands in Massac County, Illinois and McCracken County, Kentucky. The pipeline will be horizontal directional drilled at a minimum of 70 feet under the Ohio River. The remaining will be trenched at a minimum depth of three (3) feet.

## **Threatened and Endangered Species**

This project is located within the Ohio River – Hillerman category II Illinois Natural Area Inventory Site, which contains records of the state-threatened black sandshell (*Ligumia recta*), state-threatened butterfly (*Ellipsaria lineolata*), state-threatened ebonyshell (*Fusconaia ebena*), and the state and federally-endangered spectaclecase (*Cumberlandia monodonta*). Other listed aquatic species that occur in the vicinity are the state-endangered northern madtom (*Noturus stigmosus*) and the state-endangered bigclaw crayfish (*Orconectes placidus*). The Department has determined that impacts to these species and the INAI site is unlikely given ETCO has committed to horizontal directional drilling at a minimum of 70 feet under the Ohio River.

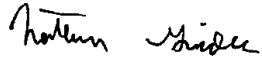
Information in a letter dated February 7, 2014 from ETCO to Matt Mangan of the U.S. Fish and Wildlife Service indicates 2.06 acres of forest habitat are expected to be impacted in Illinois. A terrestrial survey by Perennial Environmental Services, LLC on July 30, 2013 found suitable habitat in the area for the state and federally-endangered Indiana bat (*Myotis sodalist*) and the northern long-eared bat (*Myotis septentrionalis*), which is proposed for listing in the fall of 2014. The Department concurs with the need for a tree clearing restriction; however, recommends the dates be modified to April 1<sup>st</sup> through November 1<sup>st</sup> to accommodate northern long-eared bats remaining active later in the year. If tree clearing is necessary during the period of April 1<sup>st</sup> through November 1<sup>st</sup>, approved surveys may need to be conducted to determine the likelihood of impacts to these bat species.

## **Wetland Impacts**

Impacts are expected to only 0.08 acres of palustrine forested wetlands in Illinois. ETCO proposes to mitigate for wetland impacts through the purchase of 1.71 credits from the Western Kentucky Wetwoods Mitigation Bank in Hickman County, Kentucky. The Department concurs with this mitigation plan.

Thank you for the opportunity to comment. Please contact me at 217-524-0501 if I can be of further assistance.

Sincerely

A handwritten signature in black ink, appearing to read "Nathan Grider". The signature is written in a cursive, flowing style.

Nathan Grider  
Biologist  
Impact Assessment, OREP